

SENATOR ELKINS DIES AT WASHINGTON HOME

Death Due to Complication of
Diseases Arising from Blood
Poisoning.

FAMILY AT HIS BEDSIDE

Suffered Long from Illness,
Though Recovery Was Ex-
pected—His Long and
Eventful Career.

Washington, Jan. 4.—Senator Stephen M. Elkins, of West Virginia, died at midnight to-night. At his bedside were his wife, his daughter, Katherine; his four sons, David, Richard, Stephen and Blaine; and the physicians. Death was due to septicemia, or blood poisoning. He was conscious until within half an hour of death.

In the early evening there were persistent rumors in Washington that the senator's condition had become grave, and fears were expressed that he might not live through the night. The members of the family, however, were hopeful to the last, and to the numerous inquiries received at the house encouraging replies were given.

Sensor Elkins became ill in the early summer at his home at Elkins, W. Va. He was kept in strict confinement there, and only the members of his immediate family were allowed to see him. On November 9, when he was removed to Washington in a private car, he was reported considerably improved. Physicians declared that he might possibly be able to take his seat in the Senate at the opening of Congress.

Sensor Elkins's ailment had never become definitely known. In the summer he was reported to be suffering from intestinal trouble in many respects similar to acute indigestion. At other times physicians are said to have believed him afflicted with a nervous malady. Last week it was reported that open air treatment had been advised and that a room on the roof of his home would be arranged for him.

According to the physicians in attendance to-night, the senator died from a complication of diseases arising from septicemia. Though no funeral arrangements have been announced, it is probable that the senator will be buried at Elkins, W. Va.

Stephen Benton Elkins, senior United States Senator from West Virginia, was born in Perry County, Ohio, on September 28, 1841. He was of Virginia ancestry, his grandfather having been a man of considerable wealth. His principal possessions were coal fields in the Hocking Valley, which were sold by Mr. Elkins's father for a small sum. Senator Elkins was born within a short distance of the birthplace of General Sheridan and of Jeremiah Rusk, at one time Secretary of Agriculture. While he was yet in his teens his parents moved to Missouri, and there he attended the public schools, afterward entering the University of Missouri, from which he was graduated in 1860. He then took up the study of law and was admitted to the bar in 1863. In the same year he went to New Mexico, where he attained considerable prominence in the practice of his profession.

He early engaged in politics and in 1865 was elected to the territorial Legislature. Shortly afterward he was made Attorney General of New Mexico, and in 1868 President Johnson appointed him United States District Attorney. In this office he rendered effective service in carrying out the act of Congress which provided that there should be no slavery or involuntary servitude in the territories or in the District of Columbia. His activity was largely responsible for the freeing of several thousand slaves held in bondage by the Mexicans. In 1871 he was chosen to represent the Territory of New Mexico in the United States Congress, and at the same time was made a member of the Republican National Committee.

While in Congress Mr. Elkins displayed untiring energy, especially in regard to matters which affected the southwestern part of the country. He exhausted every possible effort to obtain the admission of New Mexico as a state, and in an elaborate speech set forth the resources of the territory he represented. His project, however, was defeated because of the hostility of the Senate.

Shortly after this rebuff he moved to West Virginia, where he became interested in extensive coal fields. This marked the beginning of his business career, although he had acquired large holdings of land in New Mexico in his sojourn there. His business ability led President Harrison to appoint him Secretary of War in 1881.

Four years later he was elected to the United States Senate, in which body he served until his death, being re-elected in 1890 and 1897. He soon came to be recognized as one of the leaders on the Republican side. He was for many years chairman of the Senate Committee on Interstate Commerce, and took a prominent part in framing interstate commerce legislation. He also intended to prevent the giving of rebates and discriminations by railroads.

He was also a member of the committees on Appropriations, Commerce and Rules, and a powerful voice in all the business of the Senate. His Republicanism was of the stalwart type, and he was a staunch defender of the doctrine of protection.

Personal Characteristics.
Geniality and practicality were the predominant traits in Senator Elkins's character. He seldom was without a smile, and his prevailing manner was courteous and sympathetic. A man of large affairs outside the Senate and responsible there for important legislation, he always had time to give attention to the wants of his constituents and of his friends.

As chairman of the Committee on Interstate Commerce he had charge of the Hepburn rate bill of 1897 and of the administration bill of 1905. A railroad builder and trader himself, Mr. Elkins had intimate knowledge of all the questions the outspoken champion of the bill of 1897, and fought for the passage of the bill for many months. Probably the longest speech he ever delivered was made in its support. The bill had been sharply assailed by Democratic and Independent Republican Senators, who charged that no one dared raise a voice in its defense. Mr. Elkins was the first to reply to this challenge.

He would not allow differences of opinion to make enemies, and he was as popular to the Democratic as to the Republican side of the Senate Chamber. He could not be persuaded to deny any one an opportunity to be heard, no matter how

TO ELECT TWO DEMOCRATS

Mr. Elkins's Death Gives West Virginia's Legislature Chance.

Charleston, W. Va., Jan. 4.—The death of Senator Elkins gives to the Democratic Legislature, which already was charged with the duty of electing a successor to Senator Nathan Bay Scott (Republican), the opportunity of choosing two Senators.

Governor Glasscock (Republican) has the power to appoint a Senator to succeed Mr. Elkins temporarily. His appointee, however, would serve only until the election of a Senator by the Legislature, which will convene on January 11. Balloting for Senator will begin on January 24.

TO IMPORT BRAZILIAN BEEF

New York Corporation Secures Meat and Cattle Concessions.

Rio de Janeiro, Jan. 4.—A Presidential proclamation was issued to-day giving authorization to an American corporation, with headquarters in New York, to do business in Brazil.

This corporation has been given meat and cattle concessions, and it is probable that within six months or a year Brazilian beef will be exported for the American market.

MME. CURIE REJECTED

Institute of France Decides Against Feminine Membership.

Paris, Jan. 4.—The five academies which make up the Institute of France met in joint session to-day to discuss the question of the eligibility of women for membership, which has been raised as the result of the strongly supported candidacy of Mme. Curie for the Academy of Sciences.

After a long and animated debate a resolution was adopted, by a vote of 86 to 52, that the election of women was contrary to immutable tradition, which it would be wisest to respect.

BROADWAY STORE ROBBED

Daring Burglar Breaks Window with Piece of Brick.

The side light of the show window in the store of the Mark Cross Company, in the Postal Telegraph Company Building, at No. 253 Broadway, was broken in late last night and a quantity of silver and leather novelties stolen. The superintendent of the building, F. C. Yarger, discovered what had happened, and called Patrolman Grosky, of the Greenwich street station.

The robbery was a particularly daring one, for the Postal Telegraph office, which is open all night, is immediately south of the Cross store. A piece of brick was found underneath the window, and it is believed that it was with this that the window was broken. The hole in the glass is about eighteen inches long and nine inches across.

WILL DRAPE STATUES

Pennsylvania Objections to Barnard's Figures on State Capitol.

[By Telegram to The Tribune.]
Harrisburg, Penn., Jan. 4.—The classic statues which George Gray Barnard executed in marble for the main entrance of the State Capitol are to be draped. This announcement was made to-night by G. Piccarelli, head of the firm which is erecting the groups, in confirmation of statements made from Paris and New York by the sculptor, after the objections to the figures had been filed.

Mr. Piccarelli, who comes from New York, said to-day that rough marble would be used to drape the figures, and that it would be fastened with bronze pins in such a manner as to fit the lines of the statues. He believed, however, that such treatment would mar the work.

ELEVATOR TRAPS WOMEN

Firemen Hack Away Car Floor and Free Frantic Group.

An elevator in the twenty story left building at No. 148 West 24th street last night suddenly stopped in its course, leaving its passengers stranded between the second and first floors. Most of them were young girls and women, and the shrieks and howls they sent forth could be heard several blocks.

The cries finally attracted the attention of a patrolman, and he hustled into the building. He called upon the engineer to relieve the strained situation, but the engineer exhausted his ingenuity without result. His efforts did not quiet the prisoners.

Then the patrolman hurried to Hook and Ladder Company 24, in West 23d street, and enlisted four firemen with axes. They made short work of the flooring of the car and dragged the women out. The rescued assembled in the basement of the building and held an indignation meeting. They threatened to sue the owner of the structure, maintaining that he was responsible for their imprisonment, which, according to their calculations, lasted two and a quarter hours.

FALLS FROM "L" TO STREET

Tries to Board Moving Train and Is Thrown to Tracks.

Edward Dairfield, a theatrical performer, of No. 600 Madison street, Brooklyn, fell from the rear platform of a Lexington avenue elevated train, at the Lexington station last night, and dropped between the ties to the street. When he was picked up it was found that he had a fractured skull and internal injuries. He was taken to the Bushwick Avenue Hospital.

Dairfield heard a train entering the station when he was at the bottom of the stairs. He started to run, but when he reached the ticket box he saw that the train was already drawing out. Dairfield did not wait even to drop his ticket in the box, but rushed past and managed to grasp the gate on the rear platform of the last car. He tried to open the gate, but as the last car reached the speed, and as the train increased its rate of the platform the iron guard rail struck Dairfield and threw him to the tracks.

NEW TIME TABLES.
Pennsylvania Railroad, effective January 8, Limited train service to Florida will be inaugurated. No leaving or arriving time at Camden and Desbrosses streets will be advertised on new time tables, but frequent ferry service between those stations and Jersey City will be continued. Changes will be made in local trains and trains to Philadelphia.—Adv.

DECLARES P. S. C. INVITES A SENSELESS SACRIFICE

F. W. Whitridge, Receiver for
Third Ave. Railroad, Severely
Critiques Commission.

ATTACKS OFFICIAL ORDERS

Tells Bondholders That in View
of Rejection of Reorganiza-
tion Plan Company May
Have to Limp Along.

F. W. Whitridge, receiver for the Third Avenue Railroad system, in a report made yesterday to the bondholders of the condition of the property, severely criticizes the Public Service Commission for its action in rejecting the second reorganization plan of the Third Avenue bondholders' committee and attacks the work of the commission in general. He also refers to the various suits at law brought against him by the commission, including one for \$800,000, all of which, he says, were unsuccessful and were a waste of time and money for everybody concerned.

Speaking of the rejection of the reorganization plans submitted to the commission by the bondholders' committee, Mr. Whitridge says:

"Two plans of reorganization have been submitted to the commission and rejected. In rejecting the second plan the commission has announced views which are very serious not only for your property but for the whole community. An appeal from this decision has been taken to the courts, but should it be decided that the jurisdiction of the commission is exclusive and its views should not be retracted or modified it is plain enough that no property within the jurisdiction of the commission of the 1st District can ever be reorganized, and that no capital can be obtained for any public service corporation in this city from any banker on any terms whatsoever, and, in the case of the Third Avenue, it may become necessary by some contract between the security holders themselves to avoid all reference to the commission and let the company limp along as best it can."

He adds that the commission, in considering the last reorganization plan, would not distinguish between the case of a company which was already capitalized and had an assured income and the case of a new enterprise, which was issuing securities for the first time to secure capital for construction.

Fixed Value Regardless of Cost.

"So far as I can understand its views," he says, "the commission thought, further, that the amount of securities to be issued for the Third Avenue was to be decided without reference to the old securities or to the necessities of the property, but solely with reference to the value of the property. Now value is a subjective conception; it is not a dimension to be measured by an external standard."

"The commission, however, has fixed the value of your property, not with regard to its cost, nor to the amount of cash paid into it, nor to its earning capacity, nor to its actual earnings, nor to the report of the commission's own board of appraisers, which it has had at work at great expense and without legal authority, the commission has fixed it by asking its own engineer about it, and from his appraisal it has deduced a theoretical depreciation of \$11,000,000, leaving about \$20,000,000 as the amount of new securities which may be issued in exchange for \$38,000,000 of your bonds and \$16,000,000 of stock of the old company. That is to say, a man who has two bonds is invited to destroy one of them, and it is perfectly useless to explain to him that his property has suffered a theoretical depreciation of \$11,000,000, because his own eyes enable him to see that such is not the fact."

"Moreover, were it not for the necessity of raising \$7,000,000 and paying interest on it, his property would appear to be now earning substantially the whole of the interest upon the bonds to be paid for. To his mind the commission invites him to a senseless sacrifice. The commission's activities, though of a different character, seem to him to be more devastating and more indefensible than the performances of the old Metropolitan company, which the commission was appointed to abolish, and he cannot be persuaded that the commission is not 'playing the fool' with his property."

Says People Will Cast It Out.

"The people have, however, made up their minds, partly in consequence of grave scandal, that the state must have an amount of regulation and control of individual activities—unless would have appealed our forefathers, which would have been of religion—so the state control was established. The state must, however, speak through men, and if those men appointed to exercise such control do not speak with a voice which commands respect, and are found adopting crude theories like those about valuation, which they cannot digest (and which they undertake to apply with no more common sense than a hen), then the victims at first, and the whole public finally, become exasperated and cry: 'Away with them! Away with them! And away they then must go.'"

"This commission in the First District has, in my judgment, demonstrated that it must return to the shades whence it emerged. I think the people are of that opinion. By removal, consolidation or resignation we must part with it. In the slang of the day, it has not 'made good' and it must go."

Mr. Whitridge has also sent the bondholders a book of about five hundred pages containing copies of all the correspondence that has passed between him and the commission. In a letter accompanying the book he says:

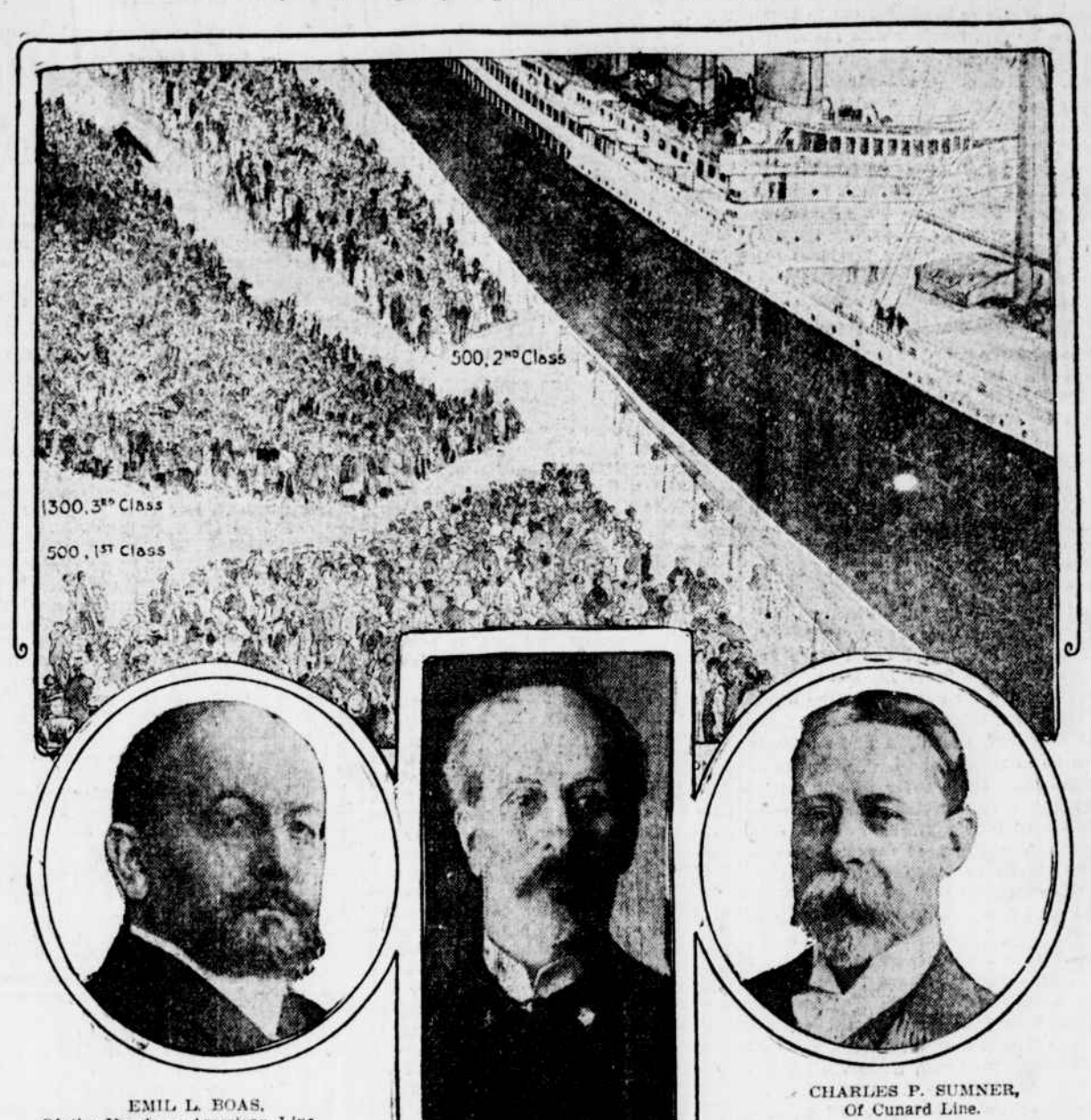
Suit "Misuse of Power."

"Since the date of the last letter it has appeared that this commission, in the 1st District, is unwilling to discontinue the puerile 'observations' which form the subject matter of many of the let-

Continued on third page.

HOW A BIG STEAMSHIP'S PASSENGERS ARE DIVIDED.

Diagrammatic representation of the proportion of first, second and third class passengers. The pooling of the steerage business by the companies is charged by the government as a violation of the anti-trust law.



ENTERS HOSPITAL ROOM; THEN KILLS HIMSELF

Alfred Mills Judson, Trustee of
J. Hood Wright Institution,
Fires Bullet in Head.

SPOKE OF HAPPY NEW YEAR

New Rochelle Man, Son Declares, Worried Over Suspension of Old Wall Street Firm of Judson & Judson.

Alfred Mills Judson, a member of the board of managers of the J. Hood Wright Memorial Hospital, walked into the office of the institution last night, and after speaking for a few minutes to the superintendent and the house surgeon went into a private office. Ten minutes later Dr. Brewer, the house surgeon, heard a revolver shot and rushed into the office, to find Mr. Judson sitting in a chair with a bullet wound in his temple. On the floor by his side lay a large revolver.

Despite the efforts of Dr. Brewer, Mr. Judson died without regaining consciousness. Mr. Judson's son, William D. Judson, was told of his father's death, and hastened to the hospital. He said his father had been worried recently by business adversities and was in poor health. He said that Mr. Judson had never carried a revolver. An examination of the weapon showed that it had only recently been purchased.

I'll Health Added to Worries.

Mr. Judson lived at No. 65 Circuit Road, New Rochelle, with his wife. She had been in ill health for several weeks, and this, in addition to a married daughter's illness, it was thought, added to Mr. Judson's worries.

When Mr. Judson entered the hospital building at Amsterdam avenue and 122d street last night he spoke to Superintendent Floyd F. Martins and Dr. Brewer, and said he wished them a Happy New Year. He also said he, like others, had had his ups and downs, and then passed on into Martins's private office. While Dr. Brewer and Martins were talking in the outer room they were startled by the sound of a revolver shot.

When they entered the office they found Mr. Judson seated in a chair, with blood issuing from a wound in his right temple. He was unconscious, and, although placed at once on the operating table, died without speaking a word.

Coroner Hellenstein was told of his death and sent Dr. Lehane, coroner's physician, to the hospital. Dr. Lehane gave a permit for the removal of the body to the Judson house, in New Rochelle.

Alfred M. Judson was the senior member of the firm of Judson & Judson, and a member of the Stock Exchange since 1869. The other members were Charles Y. Judson and Percy W. Shaerman. When the firm suspended Judge Holt, of the United States District Court, appointed A. Lee Everett receiver. The liabilities of the firm were stated as between \$150,000 and \$200,000, with assets of from \$100,000 to \$140,000.

Speaking of the assignment, by the firm, Charles Y. Judson said at the time that poor business for the last few years had been the cause. He calculated that they had quick assets which would pay off at once 70 per cent of the indebtedness, and that they hoped to pay 100 per cent on the dollar. He said that rather than liquidate the affairs of the firm they had decided to have an assignee appointed, so that the affairs of the firm would be wound up quickly.

Before the organization of the firm of Judson & Judson, Alfred M. Judson, the founder, had for many years prior been a specialist in New York Central securities.

Continued on third page.

"STATUE" WAS THE CULPRIT

Policeman Leaned Against It
After Searching Studio.

[By Telegram to The Tribune.]
Pittsburg, Jan. 4.—Frederick Fitch is in jail here, after being captured this morning under unusual conditions. The police say that he is one of the cleverest burglars in the country.

The police saw a light in a studio on the North Side early this morning, but when they broke in there was nothing to be found. After searching all through the studio Patrolman Keenan leaned up against a statue in a corner to rest. The "statue" collapsed and proved to be Fitch, who was posing.

HOT TIME ON HOBOKEN PIER

Cargo of Pepper Forces Hardy Longshoremen to Shed Tears.

Herr Captain Künwick of the steamship Brandenburg, a freighter of the Nord Deutscher Lloyd Line, left a wake of pepper behind him on the run from Bremen to this port. It was a pungent wake, and were it not for the fact that all the Lloyd line's longshoremen are Irish, it might have been infernal yesterday that there was a real Irish wake on the company's pier in Hoboken.

Every Teuton who handled freight on Pier No. 3 had tears in his eyes. Herr Captain Möller, who was in charge of the loading and unloading of the company's steamships, was told that he had a strike on his hands, and he rushed from his office to Pier No. 3 to prevent it. There he joined the lachrymose crew.

He said something softly about shipping pepper to this port, but it was a harsh remark. Herr Captain Künwick of the Brandenburg had brought over some nineteen thousand bags of pepper, which had been dumped upon the Lloyd piers at Bremerhaven by a steamship from Ceylon.

Herr Captain Möller sent out an order to buy up all the sponges in Hoboken. When this relief came the one hundred freight handlers were supplied with the nasal bandages and went to work.

PAID HER 2,000 DIMES

Young Woman Collects Cash for Breach of Promise.

[By Telegram to The Tribune.]
Brooklyn, Mass., Jan. 4.—Abraham Myers was so angry because he was forced to pay his erstwhile sweetheart \$200 for breach of promise that he deposited two thousand bright, new dimes in the young woman's lap to-day.

Miss Cecelia Stein some time ago sued Myers for \$5,000 for breach of promise, her chief grievance being that "he did not hug and kiss her." She obtained a verdict for \$2,000. After many attempts to collect the money she decided it would be impossible, and again sought the courts for relief. A compromise was effected, and the young woman agreed to accept \$200 spot cash. Myers said he could raise that amount, and to-day he appeared at the office of Miss Stein's attorney with a large parcel. He walked over to his former sweetheart and put it in her lap. It was so heavy that it fell to the floor and about a quart of dimes rolled out. Myers grinned, Miss Stein blushed, and Myers waited patiently until the young woman and her attorney counted the two thousand dimes.

DR. WALKER LOSES HIS ARM

Amputation Decided on to Save Fordham Surgeon's Life.

Since Dr. Ernest J. Walker, of the Fordham Hospital, was injured in the collision between one of the hospital ambulances and a 180th street cross-town car on Tuesday morning he has been in a serious condition, and it was deemed necessary last night to amputate his right arm in order to save his life. The operation was performed shortly before midnight.

WOULD DISSOLVE STEAMSHIP POOL

Government Attacks Atlantic
Conference for Conspiring
to Restrain Trade.

SUES UNDER SHERMAN LAW

Various Lines Admit Agreement
Dividing Steerage Traffic
Authorities Estimate at
\$55,000,000 Yearly.

United States Attorney Henry A. Wise, at the direction of Attorney General Wickersham, instituted proceedings yesterday in the United States Circuit Court for the dissolution of the Atlantic Conference, a combination of the principal steamship lines carrying passengers and freight between the ports of the United States and those of Europe.

A representative of one of the largest steamship companies included in the suit said that the proceeding was a friendly suit in equity agreed on several months ago by the steamship companies and Mr. Wise, and that the suggestion came from the steamship companies in order that it might be determined whether their method of doing business was in accordance with the laws of this country.

He admitted that there was an organization known as the Atlantic Conference, composed of the steamship lines named in Mr. Wise's complaint. This combination, he said, fixed the rates not only for steerage passengers, but also for both first and second class passengers sailing in both directions, and also apportioned the traffic among the various lines in the combination and fixed a penalty for any line carrying more than its proportion of the traffic, which provided compensation for those lines not receiving their full share of the business.

Continuing his explanation of the suit, he said:

"This case had its inception in the rebating charges brought against the Holland-America Line more than a year ago. In the investigation of these charges there was revealed a letter from Adrian Glips, agent of the Holland-America Line, in which he said that certain rates must be kept strictly confidential, as they were made in violation of the general agreement. This gave the government its first intimation that there was a rate agreement among the transatlantic steamship companies.

Grand Jurors Investigated.

"After the disclosures made in this letter representatives of several of the companies were called to the United States Attorney's office and closely questioned. Following this, there were investigations by the two federal grand juries of February and March last, and every attempt was made by the government to indict some of the officers of the steamship companies. No indictments could be secured.

"After these attempts by the government had failed, the steamship companies, through the foreign consuls in this city, went to the United States Attorney and asked if something could not be done to determine whether their business, as conducted under the agreement of the Atlantic conference, was legal. They said that if it was not, they wanted to make such changes as were necessary to conform with the law.

"As a result of this conference with Mr. Wise it was decided that a friendly suit in equity should be brought against the steamship companies, to which they would demur, and the matter would then be before the courts for settlement. All the rates, however, have been made in Europe. No agent here has the power to fix a single rate.

"It is true that the traffic has been apportioned among the various lines in the combination, and when it is found that one line is carrying more than its share of the traffic that line is fined. These fines are divided among the lines that do less than their share of the business. And another way of equalizing the traffic is by raising rates on lines that are getting an excessive proportion of the business, passengers being thus diverted from one company to another.

"It is true also that our rates have been changed frequently and suddenly to conform to those of some competing line; but this is all done on orders from the outside. The Uranian Line is the one that has given us the most trouble in this regard. We have been unable to find out who owns that line; but we have found that when we made a rate of \$35 from some European port to New York its ships would suddenly appear in that harbor and offer a rate of \$26, while its agents got a commission of from \$5 to \$6 a passenger, as against a commission of \$2 to our agent. In such a case the only thing for us to do was to meet their rate.

"The committee appointed by Congress investigated our business and questioned the officers of our companies closely. Congress Committee Satisfied.

"When they were through they told us they did not see, as a plain business proposition, how we could conduct our affairs in any other way than as we did."

The action brought yesterday by United States Attorney Wise under the Sherman anti-trust law was directed against the following steamship companies and certain of their officers: The Allan Line Steamship Company, Limited, a British corporation, and its agent, Bryce J. Allan, of Boston; the International Mercantile Marine Company, a New Jersey corporation, which holds and votes a majority of the outstanding capital stock of the International Navigation Company, the Dominion Line, the Red Star Line and the White Star Line and owns the American Line jointly with the International Navigation Company; a British corporation, which is also a defendant in the suit, and Philip A. S. Franklin and John Lee, vice-presidents of the two holding companies, with offices at No. 9 Broadway; the Anchor

Continued on fifth page.